
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0106.2/07 2nd draft

ATTY/TYPIST: KT:bat

BRIEF DESCRIPTION: Clarifying liability limitations for providing
pilotage services.

1 AN ACT Relating to liability limitations for providing pilotage
2 services; and reenacting and amending RCW 88.16.118.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 88.16.118 and 2005 c 123 s 2 and 2005 c 26 s 3 are
5 each reenacted and amended to read as follows:

6 (1) (~~(A ship's pilot)~~) (a) Pilots licensed to act as such by the
7 state of Washington, and any countywide port district located partly or
8 entirely within the Grays Harbor pilotage district as defined by RCW
9 88.16.050(2) authorized to provide pilotage services with pilots
10 employed by or under contract with the port district, shall not be
11 liable for damages in excess of the amount of five thousand dollars for
12 damages or loss occasioned by (~~(the pilot's)~~) pilots' or pilot
13 trainees' errors, omissions, fault, or neglect in the performance of
14 pilotage or pilot training services, except as may arise by reason of
15 the willful misconduct or gross negligence of (~~(that)~~) those pilots.

16 (~~(A ship's)~~) (b) Pilot trainees licensed to act as such by the
17 state of Washington (~~(is)~~) are not liable for damages in excess of the
18 amount of five thousand dollars for damages or loss occasioned by the
19 pilot (~~(trainee's)~~) trainees' errors, omissions, fault, or neglect in

1 the performance of pilotage or pilot training services, except as may
2 arise by reason of the willful misconduct or gross negligence of
3 (~~that~~) those pilot trainees.

4 (2) When a pilot or pilot trainee boards a vessel, that pilot or
5 pilot trainee becomes a servant of the vessel and its owner and
6 operator. Nothing in this section exempts the vessel, its owner or
7 operator from liability for damage or loss occasioned by that ship to
8 a person or property on the ground that (a) the ship was piloted by a
9 Washington state licensed pilot or pilot trainee, or (b) the damage or
10 loss was occasioned by the error, omission, fault, or neglect of a
11 Washington state licensed pilot or pilot trainee.

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